

~~PATENT MAINTENANCE~~
DIVISION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

~~2006 APR 21 PM 4:26~~

In re application of: Charych, et al. Attorney Docket No.: 1680.002/CHIRP014
US PATENT & TRADEMARK OFFICE

Application No.: 09/874,091

Examiner: Tran, My-Chau T.

Filed: June 4, 2001

Group: 1641

Title: MICROARRAYS FOR PERFORMING
PROTEOMIC ANALYSES

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on April 18, 2006 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed: _____

Tara Hayden

**REQUEST FOR REFUND
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)**

ATTENTION: Refund Section, Accounting Division, Office of Finance
Mail Stop 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I. REFUND REQUEST

This is a request for a refund with respect to the charge to Deposit Account 500388 shown on the statement dated February 22, 2006 (Control No. 09874091) for the above-identified patent. A copy of the monthly statement in which the error referred to occurs, accompanies this request.

II. FEES CHARGED FOR WHICH REFUND REQUESTED

\$450.00

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

On the Amendment Transmittal, the Applicant mistakenly requested a two month extension of time to respond. No extension was actually required, as the response was filed on February 21, 2006, within the three month period for reply to the Final Office Action mailed December 21, 2005.

IV. MANNER OF REFUND

Please make refund by crediting Account No. 500388.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP

Denise Bergin

Denise S. Bergin
Registration No. 50,581

P.O. Box 70250
Oakland, CA 94612-0250

650-961-8300



**United States
Patent and
Trademark Office**

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Home
Page

Finance
Online
Shopping
Page

Deposit Account Statement

Requested Statement Month: February 2006
Deposit Account Number: 500388
Name: BEYER, WEAVER & THOMAS LLP
Attention: ACCOUNTING DEPARTMENT
Address: 590 W. EL CAMINO REAL
City: MOUNTAIN VIEW
State: CA
Zip: 94040
Country: UNITED STATES OF AMERICA

| DATE | SEQ | POSTING REF TXT | ATTORNEY DOCKET NBR | FEE CODE | AMT | BAL |
|-------|-----|--------------------|---------------------------|-------------|------------|--------|
| 02/01 | 13 | 11312966 | IGT1P251/P-1062 | 1081 | \$250.00 | \$37,8 |
| 02/01 | 38 | 10941605 | ALPSP171 | 1201 | \$200.00 | \$37,6 |
| 02/01 | 145 | 10441509 | ALPSP119 | 1251 | \$120.00 | \$37,5 |
| 02/01 | 659 | 60661279 | | 8021 | \$40.00 | \$37,4 |
| 02/01 | 898 | 11166331 | | 8021 | \$40.00 | \$37,4 |
| 02/02 | 2 | 10423827 | KLAIP114/P1174 | 1251 | \$120.00 | \$37,3 |
| 02/02 | 3 | 10123950 | CISCP279/513 | 1252 | \$410.00 | \$36,9 |
| 02/02 | 9 | 10533488 | | 9204 | -\$100.00 | \$37,0 |
| 02/02 | 25 | 10528276 | | 9204 | -\$25.00 | \$37,0 |
| 02/02 | 50 | 11343886 | 17220.006/CHIRP029D1 | 1011 | \$300.00 | \$36,7 |
| 02/02 | 51 | 11343886 | 17220.006/CHIRP029D1 | 1111 | \$500.00 | \$36,2 |
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| 02/02 | 141 | 10302008 | SUN1P747/P62 | 1801 | \$790.00 | \$34,9 |
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| 02/03 | 18 | 11332841 | | 1463 | \$200.00 | \$34,6 |
| 02/03 | 42 | 09967880 | MES1P054 | 1251 | \$120.00 | \$34,5 |
| 02/03 | 98 | 75165652 | FONEG000 | 8521 | \$40.00 | \$34,4 |
| 02/03 | 98 | 10881707 | XENOP013/PXE.P030.US | 1201 | \$200.00 | \$34,2 |
| 02/03 | 99 | 75165652 | FONEG000 | 8522 | \$175.00 | \$34,0 |
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| 02/06 | 5 | PCT/US05/42579 | | 9204 | -\$700.00 | \$34,5 |
| 02/06 | 19 | PCT/US05/44240 | | 9204 | -\$700.00 | \$35,2 |
| 02/06 | 26 | PCT/US05/45037 | | 9204 | -\$700.00 | \$35,9 |
| 02/06 | 53 | 11166787 | | 2254 | -\$265.00 | \$36,2 |
| 02/06 | 55 | 11166787 | MES1P091 | 1254 | \$1,060.00 | \$35,2 |

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| 02/06 57 | 11166787 | MES1P091 | 1011 | \$300.00 | \$34,90 |
| 02/06 70 | 09964962 | 29757/P-577 | 1801 | \$790.00 | \$34,1 |
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| 02/06 72 | 09964962 | 29757/P-577 | 1202 | \$2,100.00 | \$31,8 |
| 02/06 140 | 09937111 | MES1P045 | 2251 | \$60.00 | \$31,7 |
| 02/07 80 | 10106680 | SUN1P851 | 1801 | \$790.00 | \$30,9 |
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| 02/07 115 | 0169300248 | APL1D390 | 8014 | \$25.00 | \$30,8 |
| 02/07 116 | 0169300677 | APL1D390 | 8014 | \$25.00 | \$30,7 |
| 02/07 122 | 10199078 | TRNDP034 | 8021 | \$40.00 | \$30,7 |
| 02/07 126 | 11074338 | | 1201 | \$200.00 | \$30,5 |
| 02/07 152 | 10775974 | NWSP049 | 1801 | \$790.00 | \$29,7 |
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| 02/07 163 | 10216960 | TRNDP035 TM02-010US | 8021 | \$40.00 | \$29,0 |
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| 02/07 267 | 10421164 | TRNDP043 TM02-021US | 8021 | \$40.00 | \$27,1 |
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| 02/07 359 | 10600778 | TRNDP038 TM02-011US | 8021 | \$40.00 | \$26,9 |
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| 02/07 704 | 11127502 | | 8021 | \$40.00 | \$26,7 |
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| 02/08 318 | 11247948 | APL1P401X1/P3860USX1 | 8021 | \$40.00 | \$26,8 |
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| 02/08 419 | 60632030 | LBNLP016P | 8021 | \$40.00 | \$26,7 |
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| 02/08 545 | 60739224 | | 8021 | \$40.00 | \$26,7 |
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| 02/14 665 | 11251586 | GENSP095 | 8021 | \$40.00 | \$23,7 |

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| 02/15 10 | 11274932 | 1311 | \$200.00 | \$24,1: |
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| 02/15 12 | 11274932 | 1051 | \$130.00 | \$23,7: |
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| 02/15 104 | 09571090 CISCIP154 | 1253 | \$1,020.00 | \$22,2: |
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| 02/16 6 | 09943524 KABAP002A | 2202 | \$475.00 | \$21,2: |
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| 02/16 8 | 11274491 NSCIP346 | 1051 | \$130.00 | \$20,8: |
| 02/16 9 | 11274491 NSCIP346 | 1111 | \$500.00 | \$20,3: |
| 02/16 9 | PCT/US05/44576 | 9204 | -\$700.00 | \$21,0: |
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| 02/16 10 | 09935238 CISCIP215/361 | 1801 | \$790.00 | \$20,0: |
| 02/16 11 | 09935238 CISCIP215/361 | 1251 | \$120.00 | \$19,9: |
| 02/16 73 | 10423490 690123.030 | 1202 | \$200.00 | \$19,7: |
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| 02/16 155 | 10327717 APL1P24/P2755 | 8001 | \$39.00 | \$18,0: |
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| 02/17 16 | PAYMENT | 9203 | -\$20,000.00 | \$38,7: |
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| 02/17 111 | 10281425 KLA1P086/P10 | 1252 | \$450.00 | \$37,5: |
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| 02/21 4 | 11225961 SCHPP042 | 1252 | \$330.00 | \$37,1: |
| 02/21 16 | 10528746 YMUCP006 | 2616 | \$180.00 | \$36,9: |
| 02/21 87 | 60632015 LBNLP015.US (TH) | 8007 | \$20.00 | \$36,9: |
| 02/21 88 | 60632014 LBNLP017.US (TH) | 8007 | \$20.00 | \$36,9: |
| 02/21 96 | 10828130 ALPSP 153 | 1252 | \$450.00 | \$36,4: |
| 02/21 168 | 10815560 NOVLP096 | 1801 | \$790.00 | \$35,6: |
| 02/22 9 | 10559824 | 9204 | -\$100.00 | \$35,7: |
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| 02/23 8 | P111726 CYTOP162 | 1463 | \$200.00 | \$35,1: |
| 02/23 49 | 0151480173 ULTRP002.CN | 8014 | \$25.00 | \$35,1: |
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| 02/23 102 | 11255517 SERAP003 | 8021 | \$40.00 | \$34,8: |
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| 02/23 177 | 10156271 VISAP064C1 | 1202 | \$150.00 | \$33,9: |
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| 02/23 421 | 09330225 | 8021 | \$40.00 | \$33,7: |
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| | | | | |
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| 02/23 671 60645350 | IMECP022P | 8021 | \$40.00 | \$33,6: |
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| 02/27 4 11359657 | BEX1P017 | 2202 | \$775.00 | \$30,4: |
| 02/27 5 11359657 | BEX1P017 | 2203 | \$180.00 | \$30,3: |
| 02/27 39 PCT/US06/01362 | | 9204 | -\$715.00 | \$31,0: |
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START
BALANCE
\$38,085.00

SUM OF
CHARGES
\$40,357.00

SUM OF
REPLENISH
\$32,498.00

END
BALANCE
\$30,226.00

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Total Pages:

11 (including cover page)

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Received
Cover
Page

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| | | |
|--|--|-----------------|
| FEB. 21. 2006 8:48PM 5106630920 | | PG. 132 P. 1/11 |
| BEYER WEAVER & THOMAS, LLP INTELLECTUAL PROPERTY LAW 900 12th Street, Suite 200, Oakland, CA 94607 Telephone: (510) 563-1100 Facsimile: (510) 563-0920 www.beyerlaw.com | | |
| FACSIMILE COVER SHEET | | |
| February 21, 2006 | | |
| Receiver: | Examiner My-Chan T. Tran (USPTO Central Fax) | |
| FAX #: | (571) 273-8300 | |
| Sender: | Denise S. Bargin | |
| Our Ref. No.: | CHIRP014 | |
| Application No.: | 09/874,091 | |
| Re: | 1. Amendment Transmittal 2. Amendment I - After Final | |
| Pages Including Cover Sheet(s): 11 | | |
| MESSAGE: | | |
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| PAGE 1/11 RCVD AT 2/21/2006 6:39:12 PM [Eastern Standard Time] * BYR:USPTO-EPXRF-628 * DWS:2738300 * CSID:5106630920 * DURATION (mm:ss):04:32 | | |

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* * * COMMUNICATION RESULT REPORT (FEB. 21. 2006 3:47PM) * * *

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BEYER WEAVER & THOMAS, LLP

INTELLECTUAL PROPERTY LAW
500 12th Street, Suite 200, Oakland, CA 94607
Telephone: (510) 663-1100 Facsimile: (510) 663-0920
www.beyerlaw.com

FACSIMILE COVER SHEET

February 21, 2006

Receiver: Examiner My-Chan T. Tran
(USPTO Central Fax)

FAX # : (571) 273-8300

Sender: Denise S. Bergin
Our Ref. No.: CHIRP014

Application No: 09/874,091

BEYER WEAVER & THOMAS, LLP

INTELLECTUAL PROPERTY LAW
500 12th Street, Suite 200, Oakland, CA 94607
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FAX # : (571) 273-8300

Sender: Denise S. Bergin
Our Ref. No.: CHIRP014

Application No: 09/874,091

Re: 1. Amendment Transmittal
2. Amendment I – After Final

Pages Including Cover Sheet(s): 11

MESSAGE:

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Charych, et al.

Attorney Docket No.: 1680.002/CHIRP014

Application No.: 09/874,091

Examiner: Tran, My-Chau T.

Filed: June 4, 2001

Group: 1641

Title: MICROARRAYS FOR PERFORMING
PROTEOMIC ANALYSES

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile to fax number 571-273-8300 to the U.S. Patent and Trademark Office on February 21, 2006.

Signed: _____

Tara Hayden

AMENDMENT TRANSMITTAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment in the above-identified application.

The fee has been calculated as shown below.

| | Claims After Amendment | | Highest Previously Paid For | Present Extra | Small Entity Rate Fee | Large Entity Rate Fee |
|--|------------------------------|-------|-----------------------------------|------------------|--------------------------|--------------------------|
| Total Claims | 33 | MINUS | 54 | 00 | x 25 = | x 50 = |
| Independent Claims | 02 | MINUS | 06 | 00 | x 100 = | x 200 = |
| Multiple Dependent Claim Present and Fee Not Previously Paid | | | | | \$180.00 | \$360.00 |
| Total | | | | | \$ | \$ |

- ☒ Applicant(s) hereby petition for a two month extension(s) of time to respond to the aforementioned Office Action.
- ☐ Applicant(s) believe that no (additional) Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 500388.
- ☐ Enclosed is our Check No. _____ in the amount of \$ _____ to cover the additional claim fee and/or extension of time fees.
- ☒ Please charge \$450.00 and any additional fees required to facilitate filing the enclosed response, to Deposit Account No. 500388 (Order No. CHIRP014).

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP

Denise Bergin
Denise S. Bergin
Reg. No. 50,581

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Charych, et al.

Attorney Docket No.: CHIRP014

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Signed: _____

Tara Hayden

AMENDMENT I – AFTER FINAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COPY

Dear Sir:

In response to the Final Office Action mailed December 21, 2005, please consider the following amendments and remarks.

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/874,091 | 06/04/2001 | Deborah Charych | 1680.002 | 6042 |

7590 12/21/2005

Chiron Corporation
Intellectual Property Law Department
Mail Stop R-3
PO Box 8097
Emeryville, CA 94662



EXAMINER

TRAN, MY CHAU T

ART UNIT PAPER NUMBER

1639

DATE MAILED: 12/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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BEYER MEYER & THOMAS, LLP
ATTY: JEA ASSOC: JEA
ACTION Final Rej-3+3mo.
Note of Appeal
DUE DATES 2/21/06
3/21/06 & 6/21/06
DOCKETED 1/26/06 BY: [initials]
DOCKETED CHIRP.014

DOCKETED on/by 12/21/05 [initials]
Atty. [initials] PA
File # 1680.002
Due Date 2/21/06 Ext RF4
Final Date 6/21/06 RF4, N740

FEB 21 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Charych, et al.

Attorney Docket No.: 1680.002/CHIRP014

Application No.: 09/874,091

Examiner: Tran, My-Chau T.

Filed: June 4, 2001

Group: 1641

**Title: MICROARRAYS FOR PERFORMING
PROTEOMIC ANALYSES****CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being transmitted by facsimile to fax number 571-273-8300 to the U.S. Patent and Trademark Office on February 21, 2006.

Signed:

Tara Hayden

AMENDMENT TRANSMITTALCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

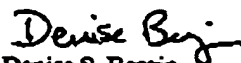
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|--|------------------------------|-------|-----------------------------------|------------------|--------------------------|--------------------------|
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Respectfully submitted,
BEYER WEAVER & THOMAS, LLP

 Denise S. Bergin
 Reg. No. 50,581

02/22/2006 CNGUYEN 00000024 500388 09874091

01 FC:1252 450.00 DA

 Adjustment date: 05/19/2006 SDENBOB1
 02/22/2006 CNGUYEN 00000024 500388 09874091
 01 FC:1252 450.00 CR